

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**vs**

**Case Number. 8:08-cr-172-T-35EAJ  
USM Number: 50024-018**

**PAUL ROBERT GUNTER**

**Neil G. Taylor, Retained  
Susan W. Van Dusen, Retained**

**JUDGMENT IN A CRIMINAL CASE**

The defendant was found guilty to Counts One, Two, Three, Four, Five, Six, Seven, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-One, Twenty-Two, Twenty-Three, Twenty-Four, Twenty-Five, Twenty-Six, Twenty-Seven, Twenty-Eight, Twenty-Nine, Thirty, Thirty-One, Thirty-Two, Thirty-Three, Thirty-Four, Thirty-Five, and Thirty-Six of the Superseding Indictment. Accordingly, the court has adjudicated that the defendant is guilty of the following offenses:

| <u>Title &amp; Section</u> | <u>Nature of Offense</u>                  | <u>Date Offense<br/>Concluded</u> | <u>Count<br/>Number(s)</u> |
|----------------------------|---|-----------------------------------|----------------------------|
| 18 U.S.C. § 1349           | Conspiracy to commit mail and wire fraud. | March 13, 2008                    | One                        |
| 18 U.S.C. § 1349           | Conspiracy to commit wire fraud.          | March 13, 2008                    | Two                        |
| 18 U.S.C. § 1956           | Conspiracy to Commit Money Laundering.    | March 13, 2008                    | Three                      |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | June 15, 2005                     | Four                       |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | September 22, 2005                | Five                       |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | December 16, 2005                 | Six                        |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | February 3, 2006                  | Seven                      |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | February 27, 2006                 | Nine                       |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | April 5, 2006                     | Ten                        |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | June 7, 2006                      | Eleven                     |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | June 8, 2006                      | Twelve                     |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | August 4, 2006                    | Thirteen                   |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | August 7, 2006                    | Fourteen                   |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | September 27, 2006                | Fifteen                    |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | September 27, 2006                | Sixteen                    |
| 18 U.S.C. § 1957           | Illegal monetary transaction.             | October 30, 2006                  | Seventeen                  |
| 18 U.S.C. § 1341           | Mail fraud.                               | June 22, 2005                     | Eighteen                   |
| 18 U.S.C. § 1341           | Mail fraud.                               | July 14, 2005                     | Nineteen                   |
| 18 U.S.C. § 1341           | Mail fraud.                               | July 27, 2005                     | Twenty                     |

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|                  |             |                    |              |
|------------------|-------------|--------------------|--------------|
| 18 U.S.C. § 1341 | Mail fraud. | August 3, 2005     | Twenty-One   |
| 18 U.S.C. § 1341 | Mail fraud. | January 12, 2006   | Twenty-Two   |
| 18 U.S.C. § 1341 | Mail fraud. | February 23, 2006  | Twenty-Three |
| 18 U.S.C. § 1341 | Mail fraud. | March 1, 2006      | Twenty-Four  |
| 18 U.S.C. § 1341 | Mail fraud. | June 8, 2006       | Twenty-Five  |
| 18 U.S.C. § 1341 | Mail fraud. | September 28, 2006 | Twenty-Six   |
| 18 U.S.C. § 1341 | Mail fraud. | October 12, 2006   | Twenty-Seven |
| 18 U.S.C. § 1343 | Wire fraud. | June 30, 2005      | Twenty-Eight |
| 18 U.S.C. § 1343 | Wire fraud. | July 13, 2005      | Twenty-Nine  |
| 18 U.S.C. § 1343 | Wire fraud. | July 19, 2005      | Thirty       |
| 18 U.S.C. § 1343 | Wire fraud. | July 21, 2005      | Thirty-One   |
| 18 U.S.C. § 1343 | Wire fraud. | August 16, 2005    | Thirty-Two   |
| 18 U.S.C. § 1343 | Wire fraud. | February 1, 2006   | Thirty-Three |
| 18 U.S.C. § 1343 | Wire fraud. | February 22, 2006  | Thirty-Four  |
| 18 U.S.C. § 1343 | Wire fraud. | February 28, 2006  | Thirty-Five  |
| 18 U.S.C. § 1343 | Wire fraud. | May 3, 2006        | Thirty-Six   |

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The original indictment is dismissed.

**IT IS ORDERED** that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:

July 23, 2013

  
**MARY S. SCRIVEN**  
 UNITED STATES DISTRICT JUDGE

July 30, 2013

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## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **THREE HUNDRED (300) Months**. This term consists of TWO HUNDRED AND FORTY (240) Months as to Counts One through Three, and Eighteen through Thirty-Six of the Superseding Indictment, all such terms to run concurrently to each other. SIXTY (60) Months as to Counts Four through Seven, and Nine through Seventeen of the Superseding Indictment, such terms to run concurrently to each other, but consecutive to the 240 months imposed as to Counts One through Three, and Eighteen through Thirty-Six. The Defendant is to receive credit for time served while in Federal custody.

The Court recommends to the Bureau of Prisons that the Defendant serve his term of imprisonment at FCI Coleman, Low in order to insure his successful matriculation through the system and in light of his status as a first time offender and in light of the absence of any violent behavior by the Defendant.

The defendant is remanded to the custody of the United States Marshal.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
Deputy U.S. Marshal

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## SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **THIRTY-SIX (36) Months** as to Counts One through Seven, and Nine through Thirty-Six of the Superseding Indictment, all such terms to run concurrently.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons. The defendant shall not commit another federal, state or local crime. The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The mandatory drug testing requirements of the Violent Crime Control Act are waived. However, the Court orders the defendant to submit to random drug testing not to exceed 104 tests per year.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervision that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervision in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions on the attached page.

## STANDARD CONDITIONS OF SUPERVISION

1. the defendant shall not leave the judicial district without the permission of the court or probation officer;
2. the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. the defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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### **ADDITIONAL CONDITIONS OF SUPERVISED RELEASE**

1. The defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, or making an obligation for any major purchases without approval of the Probation Officer.
2. You shall provide the probation officer access to any requested financial information.
3. Should the defendant be deported, he shall not be allowed to re-enter the United States without the express permission of the appropriate governmental authority.
4. The defendant shall cooperate in the collection of DNA, as directed by the Probation Officer.

### **CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

**Total Assessment**

**\$3,500.00**

**Total Fine**

**waived**

**Total Restitution**

**not ordered**

### **SCHEDULE OF PAYMENTS**

Special assessment shall be paid in full and is due immediately.

### **FORFEITURE**

Defendant shall forfeit to the United States those assets previously identified in the Order of Forfeiture, that are subject to forfeiture.

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

\*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 8:08-cr-172-T-35EAJ**

**PAUL ROBERT GUNTER**  
\_\_\_\_\_ /

**FORFEITURE MONEY JUDGMENT AND PRELIMINARY  
ORDER OF FORFEITURE FOR SPECIFIC ASSETS**

Before the Court are the United States' Motions (Dkt. 805, Dkt. 820, Dkt. 821) for a Forfeiture Money Judgment in the amount of \$137,263,228.00 against defendant Robert Paul Gunter, and a Preliminary Order of Forfeiture for the following assets, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), 18 U.S.C. § 982(a)(1), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure:

**a. Real Property**

- 1) The real property, including all improvements thereon and appurtenances thereto, located at 10233 Poplar Street, New Port Richey, FL 34654 (Lots 27 & 28 Moon Lake Estates, Blk 159), which is legally described as follows:

Lots 27 and 28, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-0270;

- 2) The real property, including all improvements thereon and appurtenances thereto, located at 12647 Catalona Avenue, New Port Richey, FL 34654, which is legally described as follows:

Lots 7, 8, 9, and 10, Block 160, Moon Lake Estates, Unit Ten, according to map of plat thereof as recorded in Plat Book 5, Page(s) 128 through 131, of the Public Records of Pasco County, Florida.

Together with that Certain 1980 LIBE MOBILE HOME, ID # 10L11862.

Parcel Identification Number: 16-25-17-0100-16000-0070;

- 3) The real property, including all improvements thereon and appurtenances thereto, located at 10240 Lake Drive, New Port Richey, FL 34654 (Lots 19 & 20 Moon Lake Estates, Blk 159), which is legally described as follows:

Lots 19 and 20, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-0190;

- 4) The real property, including all improvements thereon and appurtenances thereto, located at 10234 Lake Drive, New Port Richey, FL 34654 (Lots 21 & 22 Moon Lake Estates Blk 159), which is legally described as follows:

Lots 21 and 22, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-0210;

- 5) The real property, including all improvements thereon and appurtenances thereto, located at 10302 Poplar Street, New Port Richey, FL 34654, which is legally described as follows:

Tract 359 of the Unrecorded Plat of Moon Lake Estates of Section 16, Township 25 South, Range 17 East, Pasco County, Florida, being more fully described as follows:  
Commence at the Northwest corner of Lot 7, Block 160, Moon

Lake Estates, Unit 10, according to the map or plat thereof as recorded in Plat Book 5, Page(s) 128 through 131, of the Public Records of Pasco County, Florida, as a Point of Beginning; thence run South 82°22'20" East, 110.00 feet; thence North 7°37'40" East, 105.0 feet; thence South 82°22'20" East, 110.0 feet; thence North 7°37'40" East, 315 feet; thence North 82°22'20" West, 220.0 feet; thence South 7° 37' 40" West, 420.0 feet to the Point of Beginning.

Parcel Identification Number: 16-25-17-0020-00000-3590;

- 6) 21 acres of real property known as Block 60000, Parcel 7, Chalk Sound, Norway & Five Cays, Providenciales, Turks & Caicos Islands, British West Indies;
- 7) Real property located at Plot 11-B, P.D. No. 5, Title No. 96-482, Las Yaguas Magante, Municipality of Gaspar Hernandez, Espaillat Province, Dominican Republic;
- 8) Real property located at Plot 11-C, P.D. No. 5, Title No. 97-431, Las Yaguas Magante, Municipality of Gaspar Hernandez, Espaillat Province, Dominican Republic;
- 9) Plot 11-D, P.D. No. 5, Title No. 99-132, Las Yaguas Magante, Municipality of Gaspar Hernandez, Espaillat Province, Dominican Republic;
- 10) Real property located at Plot No. 924, P.D. No. 3, Title No. 80-23, Municipality of Cabrera, Rio San Juan, Sector Mata Puerco, Dominican Republic;
- 11) Real property located at Plot No. 12, P.D. No. 6, Las Terrenas Municipality, Province of Samaná, Dominican Republic;
- 12) The real property located at 85 Wrestwood Road, Flat 1, Bexhill on Sea, East Sussex, United Kingdom;

**b. Bank Accounts**

- 1) \$87,677.32 seized from Bank of America Account No.



11580125, held in the name of International Escrow Enterprises Inc.;

- 2) \$550,521.26 seized from Bank of America Account No. 11580141, held in the name of International Escrow Enterprises Inc.;
- 3) \$32,868.86 seized from SunTrust Bank Account No. 0908007021976, held in the name of Paul Gunter;
- 4) \$99,909.60 seized from SunTrust Bank Account No. 1000026485648, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Operating Account;
- 5) \$8,123.18 seized from SunTrust Bank Account No. 1000026485655, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Escrow 1;
- 6) \$100.00 seized from SunTrust Bank Account No. 1000031661332, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mundus 1;
- 7) \$22,360.59 seized from SunTrust Bank Account No. 1000031661340, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 2;
- 8) \$4,439.16 seized from SunTrust Bank Account No. 1000031661357, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 3;
- 9) \$100.00 seized from SunTrust Bank Account No. 1000031661365, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 4;
- 10) \$78,115.09 seized from SunTrust Bank Account No. 1000031661373, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 5;
- 11) \$137,848.20 seized from SunTrust Bank Account No. 1000057968017, held in the name of Equinox Escrow Inc. Equinox 2;

- 12) \$42,231.82 seized from SunTrust Bank Account No. 1000057968082, held in the name of Equinox Escrow Inc. Operating Account;
- 13) \$37,833.43 seized from SunTrust Bank Account No. 1000057968090, held in the name of Equinox Escrow Inc. Equinox 1;
- 14) \$8,855.61 seized from Wachovia Bank Account No. 2000027145043, held in the name of International Escrow Enterprises Inc. Administration;
- 15) \$264,847.49 seized from Wachovia Bank Account No. 2000027145056, held in the name of International Escrow Enterprises Inc. Escrow I;
- 16) \$86,911.56 seized from Washington Mutual Bank Account No. 0181-0000042243-4, held in the name of Equinox Escrow Inc. "Escrow 3;"
- 17) \$100.00 seized from Washington Mutual Bank Account No. 0181-0000042244-2, held in the name of Equinox Escrow Inc. "Escrow 2;"
- 18) \$485,619.69 seized from Washington Mutual Bank Account No. 0181-0000042245-0, held in the name of Equinox Escrow Inc. "Escrow 1;"
- 19) \$103,725.04 seized from Washington Mutual Bank Account No. 0181-0000042246-8, held in the name of Equinox Escrow Inc. Operating Account;
- 20) \$73,213.83 seized from Washington Mutual Bank Account No. 0188-0000209955-0, held in the name of Equinox Escrow Inc. "Escrow 4;"
- 21) \$494,684.13 seized from Washington Mutual Bank Account No. 0188-0000209956-8, held in the name of Equinox Escrow Inc. "Escrow 5;"
- 22) \$100.00 seized from Washington Mutual Bank Account No. 0188-0000209957-6, held in the name of Equinox Escrow Inc. "Escrow 6;"

- 23) \$35,603.46 seized from Washington Mutual Bank Account No. 0309-0000192764-7, held in the name of Hometown Properties of Florida Development, Inc.;
- 24) \$17,824.88 seized from Washington Mutual Bank Account No. 0309-0000192765-5, held in the name of Hometown Properties of Suncoast Inc.;
- 25) \$30,295.58 seized from Washington Mutual Bank Account No. 0313-0000135378-6, held in the name of Paul R. Gunter;
- 26) Contents of Credit Suisse Bank Account No. 0835-961472-6, Switzerland, held in the name of Coralmar Ltd;
- 27) Contents of Banco Cuscatlan de Costa Rica Account Number 36017429, held in the name of Paola A. Barba Barba;
- 28) \$550,000.00 in United States currency on deposit in Banco Cuscatlan De Panama, account number 10010100021 held in the name of M.W.W. International Services Group;
- 29) Approximately \$4,907.00 from Bank of Cyprus Account No. 155-40-06-568992, held in the name of Suncoast Management LTD and/or Paul Gunter;
- 30) Approximately \$3,343.89 from Bank of Cyprus Account Number 0155-40-48-491760, held in the name of Yes Investments;
- 31) Approximately \$486.38 from Bank of Cyprus Account Number 0155-40-01-493615, held in the name of Yes Investments;
- 32) Approximately \$5,564.00 from Bank of Cyprus Account Number 0155-42-06-126504, held in the name of Yes Investments;
- 33) Approximately \$4.00 from Bank of Cyprus Account Number 0155-40-06-486228, held in the name of Yes Investments;
- 34) Approximately \$4,824.00 from Bank of Cyprus Account Number 0155-40-06-554614, held in the name of Turnstile

Holdings;

- 35) Approximately \$5,052.37 from Bank of Cyprus Account Number 0155-42-48-151940, held in the name of Pharoah Corp.;
- 36) Approximately \$15,402.00 from Bank of Cyprus Account Number 0155-42-06-143670, held in the name of Cardigan Holdings;
- 37) Approximately \$23.00 from Bank of Cyprus Account Number 0155-40-06-562870, held in the name of Brahmi International;
- 38) Approximately \$5,010.00 from Bank of Cyprus Account Number 0155-42-06-141295, held in the name of Brahmi International;
- 39) Approximately \$41.00 from Bank of Cyprus Account Number 0155-40-51-946006, held in the name of Pinnacle Management Group Inc.;
- 40) Approximately \$5,215.00 from Bank of Cyprus Account Number 0155-42-06-132989, held in the name of Pinnacle Management Group Inc.;
- 41) Contents of Nationwide Building Society Bank Account Number 0662/645 385 495 and 0662/372 972 688, held on behalf of Paul Gunter in the name of C. M. Hitchings a/k/a C. Groom, Paul Gunter's sister, Christine Hitchings.

**c. Aircraft**

One 1968 Beech King Aircraft, Model B-90, fixed wing multi-engine turbo-prop; FAA Tail No. N9426; Serial No. LJ421;

**d. Vehicles**

- 1) One 2006 Nissan Titan Pick-up Truck  
Vehicle Identification No. 1N6BA06A56N507071  
Registered Owner: Home Town Properties of Florida

Development, Inc.;

- 2) One 2007 Hyundai Tucson GLS  
Vehicle Identification No. KM8JM12B27U557116  
Registered Owner: Paul Gunter;
- 3) One 2005 Nissan Frontier Pick-up Truck  
Vehicle Identification No.: 1N6AD07UX5C454096  
Registered Owner: Home Town Properties Suncoast, Inc.;

**e. Vessels**

One 1990 55-foot Ocean Sports Fisherman Hull Identification No. XYU16555G990, name "No Slack,"

**f. Currency**

- 1) \$699,045.00 held in the Registry of the Clerk of Court, which was repatriated by Paul Robert Gunter from the Bank of Cyprus, and deposited into the Registry of the Clerk of Court, pursuant to Judge Thomas B. McCoun, III's, Conditional Order of Release (Doc. 22, at 3);
- 2) \$18,474.03 held in the Registry of the Clerk of Court, which was repatriated from Caja De Ahorros Y Pensiones de Barcelona Bank Account (a/k/a La Caixa Bank) Number ES 66 2100 3038 1822 0053 2357 or Number ES 66 2100 2878 6002 0068 4162, belonging to Paul Robert Gunter, and deposited into the Registry of the Clerk of Court, pursuant to Judge Thomas B. McCoun, III's, Conditional Order of Release (Doc. 22, at 3); and
- 3) \$15,512.38 held in the Registry of the Clerk of Court, which was repatriated from Caja De Ahorros Y Pensiones de Barcelona Bank Account (a/k/a La Caixa Bank) Number ES 66 2100 3038 1822 0053 2357 or Number ES 66 2100 2878 6002 0068 4162, belonging to Paul Robert Gunter, and deposited into the Registry of the Clerk of Court, pursuant to Judge Thomas B. McCoun, III's, Conditional Order of Release (Doc. 22, at 3).

- 4) Funds in the amount of \$39,965.00 in U.S. currency seized from Island Capital Management, LLC (dba: Island Stock Transfer) on behalf of Paul Gunter; and
- 5) Funds in the amount of \$39,962.37 in U.S. currency seized from Island Capital Management, LLC (dba: Island Stock Transfer) on behalf of Poseidon International Corporation.

Defendant argues the Government has failed to show that the entire amounts sought in its motion for forfeiture money judgment were proceeds obtained by Defendants in connection with the mail and wire fraud conspiracies charged in the Superseding indictment. The Court finds the Government proved by a preponderance of the evidence that at least \$137,263,228.00 was received from victim investors in the scheme that is the subject of this prosecution. Specifically, the Government introduced evidence through George Heinemann, the financial analyst/auditor who conducted this analysis in this case, showing that \$137,263,228.00 was the amount obtained by fraud from the victim investors. This amount was uncontroverted on this record. Accordingly, being fully advised in the premises, the Court finds as follows:

1. The amount of proceeds obtained as a result of the mail and wire fraud conspiracy, in violation of 18 U.S.C. § 1349, as charged in Count One of the Superseding Indictment, and the wire fraud conspiracy, in violation of 18 U.S.C. § 1349, as charged in Count Two of the Superseding Indictment, for which Gunter has been convicted, is at least \$137,263,228.00. Thus, the United States is

entitled to a Forfeiture Money Judgment in that amount, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. 2461(c).

2. The United States has established the requisite nexus between the assets sought for forfeiture and the mail and wire fraud conspiracies, in violation of 18 U.S.C. § 1349, charged in Counts One and Two of the Superseding Indictment; the money laundering conspiracy, in violation of 18 U.S.C. § 1956(h), charged in Count Three; and the substantive money laundering, mail fraud and wire fraud offenses charged in Counts Four through Seven and Nine through Thirty-Six, for which defendant was convicted by the Jury (Doc. 779). Thus, the United States is entitled to forfeiture of the described assets, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and 18 U.S.C. § 982(a)(1). Accordingly, it is hereby

**ORDERED and ADJUDGED** that for good cause shown, the United States' motions are **GRANTED**.

It is **FURTHER ORDERED** that defendant Paul Robert Gunter is jointly and severally liable for a forfeiture money judgment in the amount of \$137,263,228.00, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure. Under 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), the United States is entitled to forfeit any assets belonging to Defendants up to and including the amount of \$137,263,228.00 to satisfy this money judgment.

It is **FURTHER ORDERED** that, pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), 18 U.S.C. § 982(a)(1), and Rule 32.2(b)(2), all right, title, and interest of defendant Paul Robert Gunter in the assets described above are **FORFEITED** to the United States for disposition according to law, subject to the provisions of 21 U.S.C. § 853, as incorporated under 28 U.S.C. § 2461(c) and 18 U.S.C. § 982(b)(1). The net proceeds from the disposition of the forfeited assets will be credited toward the \$137,263,228.00 forfeiture money judgment.

The Court retains jurisdiction to enter any further order necessary for the forfeiture and disposition of these assets and any other assets belonging to the defendant that the United States is entitled to seek as a substitute asset to satisfy the \$137,263,228.00 money judgment, and to address any third party claim that may be asserted in these proceedings.

**DONE and ORDERED** in Tampa, Florida, on this 11th day of July, 2013.



MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

Copies to:  
All Counsel of Record